

Burford



The Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: Source Document Management Service, Inc.

File: B-234882

Date: May 25, 1989

DIGEST

Protest against contracting officer's nonresponsibility determination is dismissed where protester has not disputed additional, independent basis for the nonresponsibility determination.

DECISION

Source Document Management Service, Inc. (SDMS), protests the determination of the Government Printing Office (GPO) that SDMS was nonresponsible and thus ineligible for award under invitation for bids (IFB) Jacket 216-370 for the manufacturing of microfiche.

We dismiss the protest.

GPO originally determined SDMS to be nonresponsible following a pre-award survey of SDMS during which it learned that the protester intended to subcontract a portion of the contract requiring the production of second generation silver gelatin microfiche. GPO contended that the provisions of the IFB prohibited such subcontracting and therefore declared SDMS nonresponsible and proceeded to evaluate the bid of the second low bidder. SDMS filed its protest with our Office on March 21, 1988.

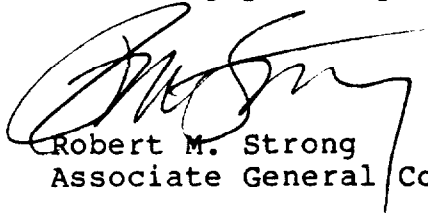
After the protest was filed, GPO conducted a pre-award survey of SDMS. On May 16, GPO submitted to our Office a supplemental report which stated that the preaward survey concluded that SDMS quality assurance capabilities were unacceptable. GPO reports that the contracting officer determined SDMS to be nonresponsible based on this independent reason. The protester does not contest the findings of the GPO concerning quality assurance but continues to maintain that the contracting officer misinterpreted the IFB provisions as prohibiting subcontracting of the manufacture of second generation

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microfiche. SDMS requests that we issue a decision interpreting the subcontracting provision. We decline to do so.

Here, even assuming that we agreed with the protester's interpretation of the IFB's subcontracting clause, SDMS would still be nonresponsible and ineligible for award based on GPO's unchallenged quality assurance finding. Thus, no useful purpose would be served by our review of GPO's interpretation of the subcontracting provision.

Accordingly, the protest is dismissed.



Robert M. Strong
Associate General Counsel